

E-FILED on October 5, 2006

Annette W. Jarvis, Utah Bar No. 1649
 Douglas M. Monson, Utah Bar No. 2293
 Steven C. Strong, Utah Bar No. 6340
 RAY QUINNEY & NEBEKER P.C.
 36 South State Street, Suite 1400
 P.O. Box 45385
 Salt Lake City, Utah 84145-0385
 Telephone: (801) 532-1500
 Facsimile: (801) 532-7543
 Email: ajarvis@rqn.com
 and
 Lenard E. Schwartzter, Nevada Bar No. 0399
 Jeanette E. McPherson, Nevada Bar No. 5423
 Schwartzter & McPherson Law Firm
 2850 South Jones Boulevard, Suite 1
 Las Vegas, Nevada 89146-5308
 Telephone: (702) 228-7590
 Facsimile: (702) 892-0122
 E-Mail: bkfilings@s-mlaw.com
 Attorneys for Debtors

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
 USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

Case Nos. BK-S-06-10725 LBR
 Case Nos. BK-S-06-10726 LBR
 Case Nos. BK-S-06-10727 LBR
 Case Nos. BK-S-06-10728 LBR
 Case Nos. BK-S-06-10729 LBR

In re:
 USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

In re:
 USA CAPITAL DIVERSIFIED TRUST DEED
 FUND, LLC,
 Debtor.

Chapter 11

In re:
 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

Jointly Administered Under
 Case No. BK-S-06-10725 LBR

In re:
 USA SECURITIES, LLC,
 Debtor.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☒ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Date of Hearing: October 30, 2006
 Time of Hearing: 9:30 a.m.

SCHWARTZTER & MCPHERSON LAW FIRM
 2850 South Jones Boulevard, Suite 1
 Las Vegas, Nevada 89146-5308
 Tel: (702) 228-7590 · Fax: (702) 892-0122

NOTICE OF HEARING ON MOTION TO AUTHORIZE DEBTOR USA COMMERCIAL MORTGAGE COMPANY AS LOAN SERVICER TO APPROVE LOAN MODIFICATION FOR PALM HARBOR ONE LOAN, TO PROVIDE THE PREVIOUSLY AUTHORIZED SUBORDINATION OF THE MARLTON SQUARE 2ND LOAN IN CONNECTION WITH THE PAYOFF OF THE MARLTON SQUARE 1ST LOAN, TO AUTHORIZE A SHORT-TERM FORBEARANCE FOR THE MARLTON SQUARE 1ST LOAN, AND TO GENERALLY AUTHORIZE SHORT-TERM LOAN FORBEARANCES AND FULL RELEASES AND RECONVEYANCES FOR LOANS PAID OFF IN FULL [AFFECTS DEBTORS USA COMMERCIAL MORTGAGE COMPANY AND USA CAPITAL FIRST TRUST DEED FUND, LLC]

TO ALL PARTIES IN INTEREST

PLEASE TAKE NOTICE that a Motion To Authorize Debtor USA Commercial Mortgage Company as Loan Servicer to Approve Loan Modification for Palm Harbor One Loan, to Provide the Previously Authorized Subordination of the Marlton Square 2nd Loan in Connection with the Payoff of the Marlton Square 1st Loan, to Authorize a Short-Term Forbearance for the Marlton Square 1st Loan, and to Generally Authorize Short-Term Loan Forbearances and Full Releases and Reconveyances for Loans Paid Off in Full (the "Motion") was filed by Schwartzer & McPherson Law Firm, attorneys for Debtor in Possession USA COMMERCIAL MORTGAGE COMPANY ("USACM" or "Debtor"). As set forth in the Motion, the Debtor requests that the Court authorize the Debtor to: (a) enter into the Loan Modification for the Palm Harbor One Loan; (b) enter into the Subordination for the Marlton Square 2nd Loan if the conditions outlined in the Marlton Square 2nd Loan Agreement for providing the Subordination are satisfied; (c) grant the short-term forbearance for the Marlton Square 1st Loan; (d) provide a full reconveyance and release of the Marlton Square 1st Loan upon its payment in full by a refinancing loan; (e) grant short-term forbearances on Loans being serviced by the Debtors without the need for further Court approval; (f) provide a full reconveyance and release of the collateral for a Loan serviced by the Debtor when the Loan is repaid in full, whether through a sale of collateral or through a refinance; and (g) execute all documents and take all other necessary steps required to implement any of the foregoing actions. The Debtor also requests that the automatic 10 day stay under Fed.R.Bankr.P. 6004(g) not apply to any Order granting this Motion, and that such Order be effective immediately upon entry of such Order.

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2850 South Jones Boulevard, Suite 1
Las Vegas, Nevada 89146-5308
Tel: (702) 228-7590 · Fax: (702) 892-0122

1 If you object to the relief requested, you *must* file a WRITTEN response to this pleading
2 with the court. You *must* also serve your written response on the person who sent you this notice.

3 If you do not file a written response with the court, or if you do not serve your written
4 response on the person who sent you this notice, then:

- 5 • The court may *refuse to allow you to speak* at the scheduled hearing; and
- 6 • The court may *rule against you* without formally calling the matter at the
7 hearing.

8 A copy of the Motion may be obtained by accessing BMC Group, Inc.'s website at
9 www.bmcgroup.com/usacmc, by accessing PACER through the United States Bankruptcy Court
10 website for Nevada at www.nvb.uscourts.gov, by contacting BMC Group at telephone: (888) 909-
11 0100, or by contacting the office of the Debtor's counsel, Ray Quinney & Nebeker P.C.,
12 telephone: (801) 532-1500 or fax: (801) 532-7543.

13 NOTICE IS FURTHER GIVEN that the hearing on the Motion may be continued without
14 further notice.

15 NOTICE IS FURTHER GIVEN that the hearing on the Motion will be held before a
16 United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Boulevard South,
17 3rd Floor, Las Vegas, Nevada on October 30, 2006 at 9:30 a.m.

18 DATED: October 5, 2006

19 /s/ Jeanette E. McPherson

20 Lenard E. Schwartz, Nevada Bar No. 0399
21 Jeanette E. McPherson, Esq., Nevada Bar No. 5423
22 SCHWARTZER & MCPHERSON LAW FIRM
23 2850 South Jones Boulevard, Suite 1
24 Las Vegas NV 89146
25 and

26 Annette W. Jarvis, Utah Bar No. 1649
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28 RAY QUINNEY & NEBEKER P.C.
36 South State Street, Suite 1400
P.O. Box 45385
Salt Lake City, Utah 84145-0385

Attorneys for Debtors and Debtors-in-Possession